

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARRYL PHELPS,

Petitioner,

-v.-

SUPERINTENDENT, *Gouverneur
Correctional Facility*,

Respondent.

20 Civ. 10352 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On December 6, 2021, the Court of Appeals for the Second Circuit vacated this Court's judgment as to Petitioner's conditions of confinement claim and remanded the case with instructions to dismiss the claim as moot. (Dkt. #43). The Second Circuit's mandate was transmitted to this Court on March 25, 2022. Accordingly, for the reasons provided by the Second Circuit, Petitioner's conditions of confinement claim is hereby DISMISSED as moot.

SO ORDERED.

Dated: March 28, 2022
New York, New York



KATHERINE POLK FAILLA
United States District Judge